Scott. H-27.-40,000—20-12-38.

Home (1939) Department.

last SERIES.

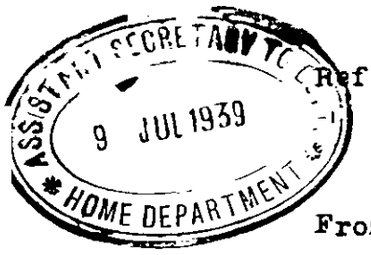
G.O. No. 4857

Dated 11—9—1939

[Despatch Abstract.]

Establishment - South Kanara District - Bench Court, Udipi -

Temporary peon - Appointment of Sanctioned.



Ref.Cl-2153-M-39.

South Kanara Dt.Magistrate's office,
Mangalore, dated 6th July 1939.

23514 E
6.7.39

From

Sri Diwan Bahadur M.V.Vellodi, B.A.,
Dt. Magistrate of South Kanara.

To

The Secretary to Government,
Home Department,
Madras.

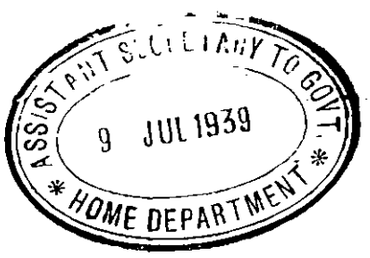
Sir,

Establishment -Bench Court - Udipi - Employment of a peon - temporary- sanction -requested.

(R) G.O. 3486 Ms. Home, dated 26-6-1939.

I invite attention to the Government Order cited above in which the Government were pleased to sanction the employment of a clerk in the Bench Court, Udipi. I now find that a peon is necessary for the whole time President and his court. Hitherto a peon of the Taluk office was asked to work in the Bench Court but this arrangement is found in practice not convenient. I am satisfied that there is sufficient work for a peon exclusively in the Bench court. I therefore, recommend that the Government may be pleased to sanction the employment of a peon in the Bench Court, Udipi, on a pay of Rs.10/- a month for a period of one year as was done in the case of the Bench Court, Kasargod, in G.O. 2891 Home, dated 26-5-39.

(M)



For Dt.Magistrate.

7.7

7.7.39

2

Home (E) Dept

Letter Ref. 23544E-1 dated. 12.7.39

61 12/7

To

The Hon'ble the C.J,

High Court, Madras.

(With a copy of c.f)

Hon'ble Sir,

Establishment - South Kanara Dt - Bench Court, Udipi — Employment of a peon — Ref. From the D.M. South Kanara, Ref. C.1. No. 2153-M-39 dated 6/7/39.

I am directed to ~~forward~~ forward a copy of the letter from the D.M. South Kanara cited above and to request that the Hon'ble the Judges will be so good as to offer their remarks on the proposal contained therein.

4.7.39.

12/7

3

Home (E) Dept.

Letter/Ref 23544 E-2 dated 15-8-39

50/1578

To

The Hon'ble the C. J.

High Court, Madras.

Hon'ble Sir,

Establishment - South Kanara Dt - Bench Court, Udipi - Employment of a peon - Ref. Letter No. 23544E-1 Home dated 12.7.39.

—

I am directed to request the favour of an early reply to the reference cited above

14.8.39.

14/8

15/8

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C.F. 80.

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DEPARTMENT.

- 5 -

Received 20 AUG 1939 19 . Registered 29544 E. 19

Subject

Enclosures.
No.
Spare copies

R.O.C. No. 2878/1939.D3.

Station Madras, , *Dated the* 25th August 19 39

From (Name) Sri. S. Srinivasa Ayyar, B.A., B.L.,

(Designation) Assistant Registrar, Appellate Side, High Court, Madras.

To The Secretary to the Government of Madras,

Home Department. (with enclosures).

Sir,

Establishment - Bench Court, Udipi - employment of a peon.
Reference:- Your letter No.23544 E-1 Home dated 12-7-1939.

I am directed to state that in the circumstances stated by the District Magistrate of South Kanara in his letter No. Ref.Cl.2153-M-39 dated 6-7-1939 to Government and in the enclosed copy of his letter Ref.C.1.2153-M-39 dated 16-8-1939 and the enclosure thereto, the Honourable the Judges recommend the proposal contained therein.

The extra cost involved in the proposal will have to be met from the existing budget grants for the current year under 27-9. Criminal Courts - Stationary Sub Magistrates - Bench

5

-2- 2-

Magistrates and other Establishments -) Pay of Establishments - Voted.

I have the honour to be,

Sir,

Your most obedient servant,

Assistant Registrar, Appellate Side.

KMN

6 6

Copy of letter Ref.C.1-2153-M-39 dated 16th August 1939 from the District Magistrate of South Kanara, to the Registrar, High Court of Judicature, Appellate Side, Madras.

Establishment - Bench Court, Udipi - Employment of a temporary peon.

Reference: Your letter R.O.C.No.2878/39 D.3. dated 25-7-1939.

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p 8 supra

A statement showing (1) the number of cases received for disposal (2) the number disposed of and (3) the number pending at the end of the year in each of the past three years, 1936, 1937 and 1938 in the Bench Court and in the Sub-Magistrate's Court, Udipi is enclosed.

2. The work of the Sub-Magistrate's Court after the First Class Bench Court came to be presided over by a non-official has slightly decreased, but this slight reduction has not materially reduced the menial work in the Sub-Magistrate's Court. In the reference of the High Court it is presumed that a peon of the Sub-Magistrate's Court was doing the menial work of the Bench Court. This is not correct. In this office letter to Government Ref.C.1-2153/M. 39, dated 6-7-1939 it was stated that it was a peon of the Taluk Office that was deputed to work in the Bench Court, since a peon of the Sub Magistrate's Court could not be spared. The calls on the menial staff of the Taluk Office are so numerous that the Tahsildar complained of his inability to spare a peon for the Bench Court. It was found that this arrangement was not practical and that the complaint of the Tahsildar was well-founded.

p1 ante

3. I have been asked to state whether any of the arrangements suggested in para 2(b) of G.O.No.3663, Law General, dated 23-12-24 will not meet the requirements of the Bench Court. It was found that none of the arrangements suggested in the G.O. was feasible before the proposal was submitted for the employment of a full time peon to the Bench Court.

W/p2

4. The sittings of the Bench are as below:-

1936	...	61
1937	...	73
1938	...	98

From 1-1-39 to 31-7-1939 there were 74 sittings. The Court begins work between 1 and 2 p.m. and does not rise before 5 p.m. The President attends office between 3 and 5 p.m. for doing office work also on days on which the Bench does not sit.

5. Before the Court begins work, the peon has to attend to the local delivery of tappals, to take the remittance to the Sub-Treasury of fines collected on the previous day and to go to the President's or Vice-President's house with any urgent papers. There is thus enough work for a peon throughout the day and hence he cannot materially reduce the

KMN

Statement showing (1) the number of cases received for disposal (2) the number disposed of and (3) the number pending at the end of the year in each of the past 3 years in the Bench Court and in the Stationary Sub-Magistrate's Court, Udipi.

Name of the Court.	1936.			1937.			1938.			Remarks.
	No. of cases received for disposal.	No. of cases disposed of.	No. of cases pending.	No. of cases received for disposal.	No. of cases disposed of.	No. of cases pending.	No. of cases received for disposal.	No. of cases disposed of.	No. of cases pending.	
Court of the I Class Bench of Magistrates, Udipi.	301	293	8	487	478	9	~~0~~ 678	674	4	
Court of the Stationary Sub-Magistrate, Udipi.	242	225	17	235	213	22	189	173	16	

South Kanara Dt.Magistrate's Office,
Camp Puttur, dated 26-8-1939.

(Sd) ---
For Dt.Magistrate.

KMN

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0 In this letter dated 13.6.39, this figure was given as 508 — vide page 3486 26.6.39 Hon. — (R)

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9 / 9

Home (E) Dept

Establishment - South Kanara Dt - Bench Court, Udipi - Temporary peon - Appointment of -

p1 c.f C. 23544.E. From The D.M. South Kanara, Ref. C.L. 2153-M-39 dated 6.7.39
p2 c.f Issued as Letter No. 23544 E-1 dated 12.7.39.
pp 4-8 c.f C. 29544.E. From the High Court, Madras, R.O.C. No. 2878/1939-D-3 dated 25.8.

p 4 c.f The High Court supports the proposal of
p1 c.f The D.M. South Kanara for the employment of a peon on Rs. 10
in the Bench court at Udipi
a month, for a period of one year. It is stated that i
is not possible to spare a peon either from the Sub-
'L' on p6 c.f Magistrate's Court or from the taluk office. The D.M.
para 3 on p6 c.f is satisfied that none of the part-time arrangements
W/p2 as contemplated in G.O. 3663 L.G. dated 23.12.24 is
p1 c.f feasible and that there is sufficient work for a
peon exclusively in the Bench Court. It is observed
from the statement on p. 8 c.f that the institutions in the
678 Bench court in 1938 are more than double those
301 in 1936. The number of sittings of the Bench Court
para 4 on pp 6-7 c.f has also been increasing year after year. The
President of the Bench attends office between 3 and
p7 c.f 5 p.m for doing office work even on days on which the
Bench does not sit. There is a full time peon in
G.O. 2851 dt. 26.5.39 - (M) the Bench court at Kasaragod where the institutions
M/p.1 in 1938 were 502. The D.M's proposal may
(* has again risen to 678 in Udipi) therefore be approved. A draft order is

W

10

submitted for approval. It may be sent to Finance for acceptance.

HR 9.9.39. 7/9

1/9

S 4.9.39.

Finance.

Home 235-44 E-

5-SEP 1939

ASSISTANT SECRETARY TO GOVERNMENT
FINANCE DEPT.

35017 E.I

Finance E.I.

The draft order may be accepted and the case returned to Home u.o.

6.9.39

8.9.39

Home.

Home (E) Dept.

May issue.

9.9.39 11/9

12/9

Fin no 35817 E.

8-9-39

ASSISTANT SECRETARY TO GOVT.
- 9 SEP 1939
DEPARTMENT

30932 E.

9.9.39

68
1939

11

C.T.18.

DRAFT FOR APPROVAL.

Home (E) Dept.

	Date.	Initials.
When received for fair copying ..		
When copied ..	11/9	
When examined..		
When signed ..		
When despatched.		

SUBJECT:—

E Establishment – South Kanara Dt – Bench Court, Udipi – Temporary peon – Appointment of – Sanctioned.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____

READ *ALSO*:—

C. No. 23544-E From the D.M. South Kanara, Ref. No. 2153-M-39, dated 6-7-1939. p1 c/f

" Letter To, The High court Madras " 23544-E-1 " 12-7-1939. p2 c/f

C. " 29544-E From the " R.O.C. " 2818/1939-D3 " 25-8-1939. pp4-8 c/f

Order/~~Resolution~~ Ms. No. 4857, dated 11-9-1938.

p1 c/f

p1 c/f

pp4-5 c/f

Sanction is accorded to the employment of a peon on Rs. 10/- a month, for a period of one year from the date of employment, in the Bench Court at Udipi

2. The additional expenditure during the current year will be met from the existing budget grant under "27-g. Administration of Justice – Criminal courts – Stationary Sub Magistrates, Bench magistrates and Other establishments – B. Pay of establishments Voted".

Rs.

1939

119

4/9

4.9.39.

To the D.M. South Kanara. ✓

" Hon'ble the C.J (with c.l) ✓

" Finance Dept ✓

" A.G. Through the Finance Dept. ✓

12/9